

**Notice of Allowability**

Application No.

10/046,414

Examiner

Steven M. Marsh

Applicant(s)

KORCZAK ET AL.

Art Unit

3632

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's communication received on 29 March 2006.
2. ☒ The allowed claim(s) is/are 2-6, 8-13 and 32.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

### **DETAILED ACTION**

This is the sixth office action for U.S. Application 10/046,414 for an Anchor Rail Adapter and Hanger Method filed by Korezak et al. on November 9, 2001. Claims 2-6, 8-13, and 32 are pending.

#### ***Allowable Subject Matter***

Claims 2-6, 8-13, and 32 are allowed. The following is an examiner's statement of reasons for allowance: The prior art does not disclose an adapter for use with an anchor rail formed as a U-shaped channel having a pair of upstanding, opposing legs, each leg having an inwardly extending wall and terminating in a downwardly oriented rail lip, the adapter configured to receive and releasably retain an associated article support hanger on the associated anchor rail, whereby the adapter has a mounting surface with an opening formed therein to releasably secure the article support hanger to the adapter, flanges depending from the mounting surface, mounting legs extending from the flanges, each leg having a hook-like portion extending substantially along a width of the mounting leg, the adapter being flexible to permit urging of the flanges inwardly toward each other to facilitate insertion of a portion of the mounting legs into the U-shaped channel, the adapter further being resilient such that the hook-like portions biasingly engage the rail lips, wherein the mounting legs include an inwardly extending portion contiguous with a downwardly extending portion, and wherein the hook-like portion is formed at an end of the downwardly extending portion. The prior art also fails to disclose such an adapter with an article support hanger configured to retain


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a utility line as claimed in claim 32. The prior art discloses a number of adapter with the structure claimed by Applicant, but none of the references specifically discloses the functional language of being resilient to biasingly engage the downwardly oriented rail lip.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven Marsh whose telephone number is (571) 272-6819. The examiner can normally be reached on Monday-Friday from 8:00AM to 4:30 PM. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-3600. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

  
Steven M. Marsh

June 8, 2006

  
KIMBERLY WOOD  
PRIMARY EXAMINER